

ELLEN F. ROSENBLUM
Attorney General
KENNETH C. CROWLEY #883554
SHANNON M. VINCENT #054700
Senior Assistant Attorneys General
NATHAN K RIEMERSMA #164699
Assistant Attorney General
Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
Telephone: (503) 947-4700
Fax: (503) 947-4791
Email: Kenneth.C.Crowley@doj.state.or.us
Shannon.M.Vincent@doj.state.or.us
Nathan.K.Riemersma@doj.state.or.us

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARK WILSON,

Plaintiff,

v.

JERRY PLANTE, RONNIE FOSS, CRAIG
PRINS, JOSH HIGHBERGER, MELISSA
NOFZIGER, COLETTE PETERS, MARIA D.
GARCIA and JOHN DOES 1-10,

Defendants.

Case No. 6:21-cv-01606-SI

DEFENDANTS' RESPONSE TO
PLAINTIFF'S BRIEF REGARDING
PLAINTIFF'S MOTION TO FILE EXCESS
PAGES

Viewing it as a matter for the Court's discretion, Defendants took no position on
Plaintiff's original motion for leave to file excess pages. However, now that the Court has asked

for the parties to weigh in on whether there is justification for Plaintiff to file a 194-page brief, Defendants respond as follows:

None of the three undersigned attorneys representing Defendants have ever encountered a 194-page motion for summary judgment in any case, let alone a motion for *partial* summary judgment in a case like this one. The due process claims underlying Plaintiff's partial motion are neither novel nor complex. Plaintiff has not explained how a 194-page brief would assist the parties or the Court in understanding either his legal arguments or the facts underlying his claims. The time it would take to wade through such a document would be counterproductive for all involved—the Court and the parties, including Plaintiff. Defendants believe that the issues raised by Plaintiff's motion for partial summary judgment can and should be addressed in a brief of standard length, and no excess pages are needed for the motion, response, or reply. Defendants take no further position on the motion to file excess pages.

DATED June 15, 2023.

Respectfully submitted,

ELLEN F. ROSENBLUM
Attorney General

s/ Kenneth C. Crowley

KENNETH C. CROWLEY #883554
SHANNON M. VINCENT #054700
Senior Assistant Attorneys General
NATHAN K RIEMERSMA #164699
Assistant Attorney General
Trial Attorneys
Tel (503) 947-4700
Fax (503) 947-4791
Kenneth.C.Crowley@doj.state.or.us
Shannon.M.Vincent@doj.state.or.us
Nathan.K.Riemersma@doj.state.or.us
Of Attorneys for Defendants